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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RANDALL THILL, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

EDWARD D. JONES & CO., L.P., a limited  
partnership and DOES 1 through 50, inclusive,

Defendants.

CASE NO. C 05 4893 JCS

**STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR  
PROCESS**

STIPULATION SELECTING ADR PROCESS

CASE NO. C 05 4893 JCS

1 Counsel report that they have met and conferred regarding ADR and have reached the  
2 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

3 The parties agree to participate in the following ADR process:

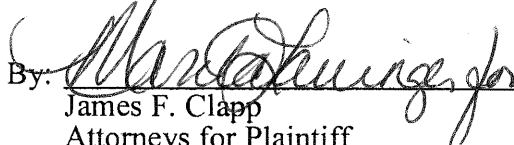
4 **Private Process:**

5 X Private mediation before a mediator to be selected by the parties. The mediation to  
6 be conducted by September 8, 2006. The parties are in the process of discussing potential  
7 mediators and intend to have a mediator selected by April 10, 2006.

8  
9 DATED: March 10, 2006

JAMES F. CLAPP  
J. KIRK DONNELLY  
MARITA MURPHY LAUINGER  
DOSTART CLAPP & COVENEY, LLP

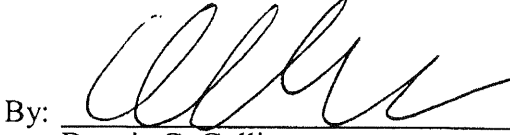
11 MARK R. THIERMAN  
12 THIERMAN LAW FIRM, P.C.

13  
14 By:   
15 James F. Clapp  
16 Attorneys for Plaintiff  
17 Randall Thill

18 DATED: March 10, 2006

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DENNIS G. COLLINS  
WILLIAM M. LAWSON  
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21 PETER B. GELBLUM  
22 TRACY L. CAHILL  
23 MITCHELL SILBERBERG & KNUPP LLP

24 By:   
25 Dennis G. Collins  
26 Attorneys for Defendant  
27 EDWARD D. JONES & CO., L.P.  
28

[PROPOSED] ORDER

IT IS HEREBY ORDERED THAT the parties shall participate in a private mediation JCS to be conducted on or before September 8, 2006. The parties shall select a mediator on or before April 10, 2006. \*a date to be set by the Court at the initial case management conference.

IT IS SO ORDERED.

DATED: March 14, 2006

  
JOSEPH C. SPERO  
United States Magistrate Judge

PROOF OF SERVICE

I am employed in the county of San Diego, State of California. I am over the age of eighteen and am not a party to this case. I am employed in, or am a resident of, the County of San Diego, California, where the mailing occurs; and my business address is: DOSTART CLAPP GORDON & COVENEY, LLP, 4370 La Jolla Village Dr., Ste. 970, San Diego, CA 92122.

On March 10, 2006, I served the foregoing document(s) described as:

**STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS**

on the interested parties in this action addressed to the addressee as follows:

SEE ATTACHED SERVICE LIST

- ☐ (BY UNITED STATES POSTAL SERVICE) and placing a true copy thereof in a sealed envelope and personally placing such envelope with postage fully prepaid for deposit in the United States Postal Service, this same day, at my business address shown above, following ordinary business practices. I further declare that I am readily familiar with our business' practice for collection and processing of correspondence for mailing with the United States Postal Service; and that the correspondence shall be deposited with the United States Postal Service this same day in the ordinary course of business.
- ☐ (BY OVERNIGHT MAIL) and placing a true copy thereof in a sealed Overnight Express envelope and personally placing such envelope with postage fully prepaid for deposit in an Overnight Express mailbox for next day delivery, this same day, at my business address shown above, following ordinary business practices. I further declare that I am readily familiar with our business' practice for collection and processing of overnight mail with this Service; and that the correspondence shall be deposited in an official Overnight Express mailbox this same day in the ordinary course of business.
- ☐ (BY PERSONAL SERVICE) I delivered such envelope by hand to the above named addressee(s).
- ☐ (BY FACSIMILE) and causing a true copy thereof to be sent via facsimile to the interested parties listed above.
- ☒ (BY E-FILE) and causing a true copy thereof to be filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Executed on March 10, 2006, at San Diego, California.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

  
TERI L. ZAAYER

SERVICE LIST

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